

Message Text

PAGE 01 STATE 162734
ORIGIN ACDA-10

INFO OCT-01 ISO-00 /011 R

66011
DRAFTED BY ACDA/MA/IR:BMURRAY
APPROVED BY ACDA/MA:ARTURRENTINE
-----041654 132121Z /63
P 131638Z JUL 77
FM SECSTATE WASHDC
TO AMEMBASSY NEW DELHI PRIORITY

UNCLAS STATE 162734

FOL RPT GENEVA 5310 ACTION SECSTATE INFO LONDON MOSCOW USUN
NEW YORK 29 JUN 77 QUOTE

UNCLAS GENEVA 5310

EO 11652: NA
TAGS: PARM, CCD
SUBJ: SEABED ARMS CONTROL TREATY REVIEW CONFERENCE: DRAFT OF
FINAL DOCUMENT

1. SUMMARY: ON JUNE 29, REVCON DRAFTING COMMITTEE REACHED
CONSENSUS AGREEMENT ON DRAFT TEXT OF FINAL DOCUMENT OF
THE CONFERENCE. END SUMMARY
2. ON JUNE 29, THE DRAFTING COMMITTEE OF THE REVIEW
CONFERENCE REACHED CONSENSUS AGREEMENT ON THE DRAFT TEXT
OF THE FINAL DOCUMENT OF THE CONFERENCE AS SET OUT IN PARA 4
BELOW.
3. US DEL BELIEVES THAT THIS DRAFT TEXT ADEQUATELY REFLECTS
US OBJECTIVES SET FORTH IN ITS INSTRUCTIONS AND RECOMMENDS
THAT AUTHORIZATION TO JOIN IN CONSENSUS ADOPTION OF TEXT
ALONG LINES OF DRAFT CONTAINED IN PARA 2, ABOVE, BE PROVIDED
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PRIOR TO FORMAL ACTION BY REVCON ON FRIDAY, JULY 1,
AT 10:30 A.M. GENEVA TIME.

4. TEXT FOLLOWS:

PREAMBLE

THE STATES PARTY TO THE TREATY ON THE PROHIBITION OF THE EMPLACEMENT
OF NUCLEAR WEAPONS AND OTHER WEAPONS OF MASS DESTRUCTION ON THE
SEA-BED AND THE OCEAN FLOORS IN THE SUBSOIL THEREOF WHO MET

IN GENEVA IN JUNE 1977 IN ACCORDANCE WITH THE PROVISIONS OF
ARTICLE VII TO REVIEW THE OPERATION OF THE TREATY WITH A VIEW
TO ASSURING THAT THE PURPOSES OF THE PREAMBLE AND THE PROVISIONS
OF THE TREATY ARE BEING REALIZED:

RECOGNIZING THE CONTINUING IMPORTANCE OF THE TREATY AND ITS
OBJECTIVES,

AFFIRMING THEIR BELIEF THAT UNIVERSAL ADHERENCE TO THE TREATY
WOULD ENHANCE INTERNATIONAL PEACE AND SECURITY,

RECOGNIZING THAT AN ARMS RACE IN NUCLEAR WEAPONS OR ANY OTHER
TYPES OF WEAPONS OF MASS DESTRUCTION ON THE SEA-BED WOULD PRESENT
A GRAVE THREAT TO INTERNATIONAL SECURITY,

CONSIDERING THAT THE CONTINUATION OF THE TREND TOWARDS A RELAXATION
OF TENSION IN INTERNATIONAL RELATIONS PROVIDES A FAVOURABLE
CLIMATE IN WHICH MORE SIGNIFICANT PROGRESS CAN BE MADE TOWARDS
THE CESSATION OF THE ARMS RACE,

REAFFIRMING THEIR CONVICTION THAT THE TREATY CONSTITUTES A STEP
TOWARDS THE EXCLUSION OF THE SEA-BED, THE OCEAN FLOOR AND THE
SUBSOIL THEREOF FROM THE ARMS RACE,
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EMPHASIZING THE COMMON INTEREST OF MANKIND IN THE PROGRESS OF THE
EXPLORATION AND USE OF THE SEA-BED AND THE OCEAN FLOOR FOR
PEACEFUL PURPOSES,

RECOGNIZING THAT THE NATURAL RESOURCES OF THE SEABED
AND OCEAN FLOOR BEYOND THE LIMITS OF NATIONAL JURISDICTION
WILL HAVE AN INCREASING ROLE IN ASSURING THE ECONOMIC PROGRESS
OF STATES, PARTICULARLY OF DEVELOPING COUNTRIES, AND RECALLING
IN THIS CONNECTION THE RESOLUTION UNGA 2749 (XXV)

APPEALING TO STATES TO REFRAIN FROM ANY ACTION WHICH MIGHT
LEAD TO THE EXTENSION OF THE ARMS RACE TO THE SEABED AND
OCEAN FLOOR, AND MIGHT IMPEDE THE EXPLORATION AND EXPLOITATION
BY STATES OF THE NATURAL RESOURCES OF THE SEABED AND OCEAN FLOOR
FOR THEIR ECONOMIC DEVELOPMENT,

AFFIRMING THAT NO MEASURES WHICH MAY BE DECIDED UPON IN THE
CONTEXT OF INTERNATIONAL NEGOTIATIONS ON THE LAW OF THE SEA
WILL AFFECT THE RIGHTS AND OBLIGATIONS ASSUMED BY THE STATES
PARTIES UNDER THIS TREATY,

DECLARE AS FOLLOWS

PURPOSES

THE STATES PARTY TO THE TREATY REAFFIRM THEIR STRONG COMMON
INTEREST IN AVOIDING AN ARMS RACE ON THE SEABED IN NUCLEAR WEAPONS

OR ANY OTHER TYPES OF WEAPONS OF MASS DESTRUCTION. THEY REAFFIRM THEIR STRONG SUPPORT FOR THE TREATY, THEIR CONTINUED DEDICATION TO ITS PRINCIPLES AND OBJECTIVES AND THEIR COMMITMENT TO IMPLEMENT EFFECTIVELY ITS PROVISIONS.

ARTICLE I

THE REVIEW UNDERTAKEN BY THE CONFERENCE CONFIRMS THAT THE OBLI-
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GATIONS ASSUMED UNDER ARTICLE I OF THE TREATY HAVE BEEN FAITH-
FULLY OBSERVED BY THE STATES PARTIES. THE CONFERENCE IS CONVINCED
THAT THE CONTINUED OBSERVANCE OF THIS ARTICLE REMAINS ESSENTIAL
TO THE OBJECTIVE WHICH ALL PARTIES SHARE OF AVOIDING AN ARMS
RACE IN NUCLEAR WEAPONS OR ANY OTHER TYPE OF WEAPONS OF MASS
DESTRUCTION ON THE SEABED.

ARTICLE II

THE CONFERENCE REAFFIRMS ITS SUPPORT FOR THE PROVISIONS OF ARTICLE
II WHICH DEFINE THE ZONE COVERED BY THE TREATY.

ARTICLE III

THE CONFERENCE NOTES WITH SATISFACTION THAT NO STATE PARTY HAS
FOUND IT NECESSARY TO INVOKE THE PROVISIONS OF ARTICLE III,
PARAGRAPHS 2, 3, 4 AND 5 DEALING WITH INTERNATIONAL COMPLAINTS
AND VERIFICATION PROCEDURES. THE CONFERENCE CONSIDERS THAT THE
PROVISIONS FOR CONSULTATION AND COOPERATION CONTAINED IN PARA-
GRAPHS 2, 3 AND 5 INCLUDE THE RIGHT OF INTERESTED STATES PARTIES
TO AGREE TO RESORT TO VARIOUS INTERNATIONAL CONSULTATIVE PRO-
CEDURES, SUCH AS AD HOC CONSULTATIVE GROUPS OF EXPERTS AND OTHER
PROCEDURES.

THE CONFERENCE REAFFIRMS IN THE FRAMEWORK OF ARTICLE III AND
ARTICLE IV THAT NOTHING IN THE VERIFICATION PROVISIONS OF THIS
TREATY SHOULD BE INTERPRETED AS AFFECTING OR LIMITING, AND NOTES
WITH SATISFACTION THAT NOTHING IN THESE PROVISIONS HAS BEEN
IDENTIFIED AS AFFECTING OR LIMITING, THE RIGHTS OF STATES PARTIES
RECOGNIZED UNDER INTERNATIONAL LAW AND CONSISTENT WITH THEIR
OBLIGATIONS UNDER THE TREATY, INCLUDING THE FREEDOM OF THE HIGH
SEAS AND THE RIGHTS OF COASTAL STATES.

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THE CONFERENCE REAFFIRMS THAT STATES PARTIES
SHOULD EXERCISE THEIR RIGHTS UNDER ARTICLE III WITH DUE REGARD
FOR THE SOVEREIGN RIGHTS OF COASTAL STATES AS RECOGNIZED UNDER
INTERNATIONAL LAW.

ARTICLE IV

THE CONFERENCE NOTES THE IMPORTANCE OF ARTICLE IV WHICH PROVIDES THAT NOTHING IN THIS TREATY SHALL BE INTERPRETED AS SUPPORTING OR PREJUDICING THE POSITION OF ANY STATE PARTY WITH RESPECT TO EXISTING INTERNATIONAL CONVENTIONS, INCLUDING THE 1958 CONVENTION ON THE TERRITORIAL SEA AND CONTIGUOUS ZONE, OR WITH RESPECT TO RIGHTS OR CLAIMS WHICH SUCH STATE PARTY MAY ASSERT, OR WITH RESPECT TO RECOGNITION OR NON-RECOGNITION OF RIGHTS OR CLAIMS ASSERTED BY ANY OTHER STATE, RELATED TO WATERS OFF ITS COAST, INCLUDING, INTER ALIA, TERRITORIAL SEAS AND CONTIGUOUS ZONES, OR TO THE SEABED AND THE OCEAN FLOOR, INCLUDING CONTINENTAL SHELVES. THE CONFERENCE ALSO NOTED THAT OBLIGATIONS ASSUMED BY STATES PARTIES TO THE TREATY ARISING FROM OTHER INTERNATIONAL INSTRUMENTS CONTINUE TO APPLY. WITHOUT PREJUDICE TO ANY POSSIBLE OUTCOME OF INTERNATIONAL NEGOTIATIONS ON THE LAW OF THE SEA, THE CONFERENCE AGREES THAT THE ZONE COVERED BY THE TREATY REFLECTS THE RIGHT BALANCE BETWEEN THE NEED TO PREVENT AN ARMS RACE IN NUCLEAR WEAPONS AND ANY OTHER TYPES OF WEAPONS OF MASS DESTRUCTION ON THE SEABED AND THE RIGHT OF STATES TO CONTROL VERIFICATION ACTIVITIES CLOSE TO THEIR OWN COASTS.

ARTICLE V

THE CONFERENCE AFFIRMS THE COMMITMENT UNDERTAKEN IN ARTICLE V TO CONTINUE NEGOTIATIONS IN GOOD FAITH CONCERNING FURTHER MEASURES IN THE FIELD OF DISARMAMENT FOR THE PREVENTION OF AN ARMS RACE ON THE SEABED, THE OCEAN FLOOR AND THE SUBSOIL THEREOF. TO THIS END, THE CONFERENCE REQUESTS THAT THE CONFERENCE OF THE COMMITTEE ON DISARMAMENT IN CONSULTATION WITH THE STATES PARTIES TO THE UNCLASSIFIED

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TREATY, TAKING INTO ACCOUNT THE PROPOSALS MADE DURING THIS CONFERENCE AND ANY RELEVANT TECHNOLOGICAL DEVELOPMENTS, PROCEED PROMPTLY WITH CONSIDERATION OF FURTHER MEASURES IN THE FIELD OF DISARMAMENT FOR THE PREVENTION OF AN ARMS RACE ON THE SEABED, THE OCEAN FLOOR AND THE SUBSOIL THEREOF.

ARTICLE VI

THE CONFERENCE NOTES THAT OVER THE FIVE YEARS OF THE OPERATION OF THE TREATY NO STATE PARTY PROPOSED ANY AMENDMENTS TO THIS TREATY ACCORDING TO THE PROCEDURE LAID DOWN IN THIS ARTICLE.

ARTICLE VII

THE CONFERENCE NOTES WITH SATISFACTION THE SPIRIT OF COOPERATION IN WHICH THE REVIEW CONFERENCE WAS HELD.

THE CONFERENCE TAKES NOTE OF THE FACT THAT NO INFORMATION HAS BEEN PRESENTED TO IT INDICATING THAT MAJOR TECHNOLOGICAL DEVELOPMENTS HAVE TAKEN PLACE SINCE 1972 WHICH AFFECT THE OPERATION

OF THE TREATY. THE CONFERENCE, NEVERTHELESS, RECOGNIZES THE NEED TO KEEP SUCH DEVELOPMENTS UNDER CONTINUING REVIEW AND INVITES THE CCD, IN CONSULTATION WITH STATES PARTIES TO THE TREATY, TO CONSIDER THE DESIRABILITY OF ESTABLISHING AN AD HOC EXPERT GROUP UNDER ITS AUSPICES FOR THIS PURPOSE. SUCH A GROUP MIGHT FACILITATE THE IMPLEMENTATION OF THE PURPOSES STATED IN THE SECTION DEALING WITH ARTICLE V. IT MIGHT ALSO CONTRIBUTE TO THE ORDERLY PREPARATION OF THE NEXT REVIEW CONFERENCE.

IN ORDER FURTHER TO FACILITATE DISSEMINATION OF INFORMATION RELEVANT TO THE TREATY TO STATES FOR THEIR ASSESSMENT, THE CONFERENCE INVITES THE SECRETARY-GENERAL OF THE UNITED NATIONS TO COLLECT SUCH INFORMATION FROM OFFICIALLY AVAILABLE SOURCES AND UNCLASSIFIED

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PUBLISH IT IN THE UNITED NATIONS YEARBOOK ON DISARMAMENT.

THE CONFERENCE, RECOGNISING THE IMPORTANCE OF THE REVIEW MECHANISM PROVIDED IN ARTICLE VII, DECIDES THAT A FURTHER REVIEW CONFERENCE SHOULD BE HELD IN GENEVA IN 1982 UNLESS A MAJORITY OF THE STATES PARTIES INDICATE TO THE DEPOSITARIES THAT THEY WISH IT TO BE POSTPONED. IN ANY CASE A FURTHER REVIEW CONFERENCE SHALL BE CONVENED NOT LATER THAN 1984.

THE NEXT CONFERENCE SHALL DETERMINE IN ACCORDANCE WITH THE VIEWS OF A MAJORITY OF THOSE STATES PARTIES ATTENDING WHETHER AND WHEN AN ADDITIONAL REVIEW CONFERENCE SHALL BE CONVENED.

ARTICLE VIII

THE CONFERENCE NOTES WITH SATISFACTION THAT NO STATE PARTY HAS EXERCISED ITS RIGHTS TO WITHDRAW FROM THE TREATY UNDER ARTICLE VIII

ARTICLE IX

THE CONFERENCE REAFFIRMS ITS CONVICTION THAT NOTHING IN THE TREATY AFFECTS THE OBLIGATIONS ASSUMED BY STATES PARTY TO THE TREATY UNDER INTERNATIONAL INSTRUMENTS ESTABLISHING ZONES FREE FROM NUCLEAR WEAPONS.

ARTICLE X

THE CONFERENCE STRESSES THAT THE FIVE YEARS THAT HAVE ELAPSED SINCE THE DATE OF ENTRY OF THE TREATY INTO FORCE HAVE DEMONSTRATED ITS EFFECTIVENESS. AT THE SAME TIME THE CONFERENCE NOTES WITH CONCERN THAT THE TREATY HAS NOT YET ACHIEVED UNIVERSAL ACCEPTANCE. THEREFORE THE CONFERENCE CALLS UPON THE STATES THAT HAVE NOT YET BECOME PARTIES, PARTICULARLY THOSE POSSESSING NUCLEAR WEAPONS OR ANY OTHER TYPES OF WEAPONS OF MASS DESTRUCTION, TO DO SO AT THE EARLIEST POSSIBLE DATE. SUCH ADHERENCE WOULD BE A SIGNIFICANT CONTRIBUTION TO INTERNATIONAL CONFIDENCE. END UNCLASSIFIED

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Message Attributes

Automatic Decaptioning: X
Capture Date: 22-Sep-1999 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: SEABED, ARMS, DOCUMENTS, TEXT, AGREEMENT DRAFT, SEABED ARMS CONTROL
Control Number: n/a
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Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
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Disposition Approved on Date:
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Disposition Comment:
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Enclosure: n/a
Executive Order: N/A
Errors: n/a
Expiration:
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Litigation History:
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Message ID: 8f048762-c288-dd11-92da-001cc4696bcc
Office: ORIGIN ACDA
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 6
Previous Channel Indicators:
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 21-Dec-2004 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1725558
Secure: OPEN
Status: NATIVE
Subject: SEABED ARMS CONTROL TREATY REVIEW CONFERENCE: DRAFT OF FINAL DOCUMENT
TAGS: PARM, CCD
To: NEW DELHI
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/8f048762-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009